

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Kevin B.¹,

Plaintiff,

v.

Case No. 1:21cv229

Commissioner of Social Security,

Judge Michael R. Barrett

Defendant.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on May 9, 2022 (Doc. 17). Proper notice was given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that they may forfeit rights on appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); see *Berkshire v. Dahl*, 928 F.3d 520, 530 (6th Cir. 2019). No objections to the Magistrate Judge’s R&R (Doc. 17) have been filed.

The R&R (Doc. 17) of the Magistrate Judge is hereby **ACCEPTED** and **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, the Commissioner’s Motion to Remand (Doc. 15) for further proceedings is hereby **GRANTED**. Pursuant to sentence four of 42 U.S.C. § 405(g), this matter is remanded back to the Agency for a *de novo* hearing, and decision thereafter, to allow the Administrative Law Judge to give further consideration to evidence of Plaintiff’s seizures

¹ The Magistrate Judge advises that “[t]he Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.” (Doc. 17 PAGEID 1156 n.1 (citing General Order 22-01)).

(among other claimed impairments). This remand relates only to the February 27, 2019 agency decision that denied Plaintiff's first application for disability benefits. Pursuant to Fed. R. Civ. P. 58, the Clerk shall enter judgment in favor of Plaintiff

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett, Judge
United States District Court